

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IVOR JALLAH,

Petitioner,

V.

C. RIVERS,

Respondent.

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No. **3:22-CV-2449-L-BH**

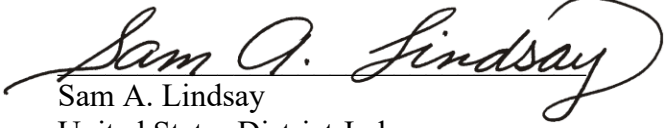
ORDER

On March 14, 2023, the Recommendation Regarding Motion to Proceed In Forma Pauperis on Appeal (Doc. 12) was entered, recommending that the court deny Petitioner’s Motion to Proceed In Forma Pauperis on Appeal (“Motion”) (Doc. 11) because the appeal is without merit and frivolous. No objections to the Recommendation were received as of the date of this order.

Having considered the Recommendation, Motion, file, and record, the court determines that the Recommendation is correct, and **accepts** it as that of the court. Accordingly, Petitioner’s Motion to Proceed In Forma Pauperis on Appeal (Doc. 11) is **denied**.

Pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a)(3), the court **certifies** that the appeal is not taken in good faith. In support of this finding, the court **incorporates** by reference the prior Report entered by the magistrate judge (Doc. 5) and this court’s order accepting the Report (Doc. 9), *see Baugh v. Taylor*, 117 F.3d 197, 202 n.21 (5th Cir. 1997), and determines that the appeal presents no legal points of arguable merit and is, therefore, frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). Although this appeal is certified as not taken in good faith, Petitioner may challenge this finding by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, United States Court of Appeals for the Fifth Circuit, within 30 days of this order.

It is so ordered this 13th day of April, 2023.


Sam A. Lindsay
United States District Judge